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100 Saint Ayers Way
Chapel Hill, NC 27517-2362
Dated: September 27, 2010

Commissioner for Patents
USPTO, P.O. Box 1450, Alexandria, Virginia 22313-1450
(Kind attr: Mr. Vivek D Koppikar, Examiner, ART Unit 3686/
Ms. Helena Payton, Documents Examiner/Technical Support)

Subject: patent application 10/735,333 filing date 12/12/2003 – Request for
consideration of reply received in your office on Feb 22, 2010 to be in time.

Reference: your letter dated 07/28/2010.

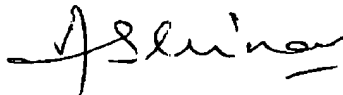
Dear Sir / Madam:

With reference to your letter dated 07/28/2010 received by us on September 21st, 2010 (post date stamp on the USPTO mailing envelope is September 17, 2010) kindly note that though the response to your letter dated November 19, 2009 was submitted in a timely manner, apparently there was a delay in receiving and uploading the response in USPTO system. The proof of timely dispatch of the response may kindly be retrieved in your office by observing the date stamp on the mailing envelope.

Since there is a delay between the mailing of the letter from our end and receiving it at your end owing to postal delivery, and further in terms of uploading in the USPTO system for your view and retrieval, our understanding is that though the time period begins to calculate from the mailing date from USPTO, it runs through the date by which we can post the response. As such, since our response was mailed to you in a timely manner, it is now requested that the letter received by you on Feb 22, 2010, may kindly be considered as being in time as response to your office action letter dated November 19, 2009.

I hope that the above clarifications address all your observations. Kindly let me know if there remains anything that still needs to be addressed, or if you have any further observations.

Respectfully submitted,



/ABHINAV AGGARWAL/

Abhinav Aggarwal, Ph.D.

USPTO Customer No. 59597

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